



Revised 07/07 WDNY

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK**

Joann Santos

Jury Trial Demanded: Yes _____ No _____

Name(s) of Plaintiff or Plaintiffs

-VS-

Monroe Community College

Daniel Robertson

Name of Defendant or Defendants

DISCRIMINATION COMPLAINT

Santos -CV- Monroe Community College

20 CV 6406 EAW

You should attach a copy of your **original Equal Employment Opportunity Commission (EEOC) complaint**, a copy of the Equal Employment Opportunity Commission **decision**, AND a copy of the **"Right to Sue"** letter you received from the EEOC to this complaint. Failure to do so may delay your case.

Note: Only those grounds raised in the charge filed with the Equal Employment Opportunity Commission can be considered by the federal district court under the federal employment discrimination statutes.

This action is brought for discrimination in employment pursuant to (check only those that apply):

X

Title VII of the Civil Rights Act of 1964, as codified, 42 U.S.C. §§ 2000e to 2000e-17 (amended in 1972, 1978 and by the Civil Rights Act of 1991, Pub.L.No. 102-166) (race, color, gender, religion, national origin).

NOTE: In order to bring suit in federal district court under Title VII, you **must first obtain a right to sue letter** from the Equal Employment Opportunity Commission.

Age Discrimination in Employment Act of 1967, as codified, 29 U.S.C. §§ 621-634 (amended in 1984, 1990, and by the Age Discrimination in Employment Amendments of 1986, Pub.L.No. 99-592, the Civil Rights Act of 1991, Pub.L.No. 102-166).

NOTE: In order to bring suit in federal district court under the Age Discrimination in Employment Act, you **must first file charges** with the Equal Employment Opportunity Commission.

X

Americans with Disabilities Act of 1990, as codified, 42 U.S.C. §§ 12112-12117 (amended by the Civil Rights Act of 1991, Pub.L.No. 102-166).

NOTE: In order to bring suit in federal district court under the Americans with Disabilities Act, you **must first obtain a right to sue letter** from the Equal Employment Opportunity Commission.

JURISDICTION is specifically conferred upon this United States District Court by the aforementioned statutes, as well as 28 U.S.C. §§ 1331, 1343. Jurisdiction may also be appropriate under 42 U.S.C. §§ 1981, 1983 and 1985(3), as amended by the Civil Rights Act of 1991, Pub.L.No. 102-166, and any related claims under New York law.

In addition to the federal claims indicated above, you may wish to include New York State claims, pursuant to 28 U.S.C. § 1367(a).

 X

New York State Human Rights Law, N.Y. Exec. Law §§ 290 to 297 (age, race, creed, color, national origin, sexual orientation, military status, sex, disability, predisposing genetic characteristics, marital status).

PARTIES

1. My address is: 268 Bromley Road, Churchville NY 14428

My telephone number is: (585) 507-3784

2. The name of the employer(s), labor organization, employment agency, apprenticeship committee, state or local government agency who I believe discriminated against me is/are as follows:

Name: Monroe Community College

Number of employees: 1,500 approximate

Address: 1000 East Henrietta Road, Rochester NY 14623

3. (If different than the above), the name and/or the address of the defendant with whom I sought employment, was employed by, received my paycheck from or whom I believed also controlled the terms and conditions under which I were paid or worked. (For example, you worked for a subsidiary of a larger company and that larger company set personnel policies and issued you your paycheck).

Name: _____

Address: _____

CLAIMS

4. I was first employed by the defendant on (date): January 1994

5. As nearly as possible, the date when the first alleged discriminatory act occurred is: April 30, 2019
6. As nearly as possible, the date(s) when subsequent acts of discrimination occurred (if any did): April 2019 through August, October 2019
7. I believe that the defendant(s)
- a. X Are still committing these acts against me.
- b. _____ Are not still committing these acts against me.
- (Complete this next item **only** if you checked "b" above) The last discriminatory act against me occurred on (date) Was told not to apply for promotion due to the discriminatory act
8. (Complete this section **only** if you filed a complaint with the New York State Division of Human Rights)
- The date when I filed a complaint with the New York State Division of Human Rights is _____
- ____ (estimate the date, if necessary)
- I filed that complaint in (identify the city and state): _____
- The Complaint Number was: _____
9. The New York State Human Rights Commission did _____ /did not _____ issue a decision. (NOTE: If it **did** issue a decision, you **must attach** one copy of the decision to **each** copy of the complaint; failure to do so will delay the initiation of your case.)
10. The date (if necessary, estimate the date as accurately as possible) I filed charges with the Equal Employment Opportunity Commission (EEOC) regarding defendant's alleged discriminatory conduct is: _____
11. The Equal Employment Opportunity Commission did _____ /did not _____ issue a decision. (NOTE: If it **did** issue a decision, you **must attach** one copy of the decision to **each** copy of the complaint; failure to do so will delay the initiation of your case.)
12. The Equal Employment Opportunity Commission issued the attached Notice of Right to Sue letter which I received on: March 18, 2020. (NOTE: If it

did issue a Right to Sue letter, you **must attach** one copy of the decision to **each** copy of the complaint; failure to do so will delay the initiation of your case.)

13. I am complaining in this action of the following types of actions by the defendants:

- a. _____ Failure to provide me with reasonable accommodations to the application process
- b. _____ Failure to employ me
- c. _____ Termination of my employment
- d. X Failure to promote me
- e. _____ Failure to provide me with reasonable accommodations so I can perform the essential functions of my job
- f. X Harassment on the basis of my sex
- g. _____ Harassment on the basis of unequal terms and conditions of my employment
- h. _____ Retaliation because I complained about discrimination or harassment directed toward me
- i. X Retaliation because I complained about discrimination or harassment directed toward others
- j. X Other actions (please describe) Harassment while I was on medical leave requiring me to work from home during this time while charging my FMLA hours

14. Defendant's conduct is discriminatory with respect to which of the following (*check all that apply*):

- a. x Race
- b. x Color
- c. x Sex
- d. _____ Religion
- e. x National Origin
- f. _____ Sexual Harassment
- g. 52 Age
 March 6, 1968 Date of birth
- h. x Disability
Are you incorrectly perceived as being disabled by your employer?
 yes no

15. I believe that I was x /was not _____ **intentionally** discriminated against by the defendant(s).

16. I believe that the defendant(s) is/are x is not/are not _____ still committing these acts against me. (If you answer is that the acts are not still being committed, state when: _____ and why the defendant(s) stopped committing these acts against you: _____)

17. **A copy of the charge to the Equal Employment Opportunity Commission is attached to this complaint and is submitted as a brief statement of the facts of my claim.** (NOTE: You **must** attach a copy of the **original complaint** you filed with the Equal Employment Opportunity Commission and a copy of the **Equal Employment Opportunity Commission affidavit** to this complaint; failure to do so will delay initiation of your case.)

18. The Equal Employment Opportunity Commission (*check one*):
 _____ **has not** issued a Right to sue letter
 x **has** issued a Right to sue letter, which I received on March 18, 2020

19. State here as briefly as possible the *facts* of your case. Describe how each defendant is involved, including *dates* and *places*. Do not give any legal arguments or cite any cases or statutes. If you intend to allege a number of related claims, number and set forth each claim in a separate paragraph. (*Use as much space as you need. Attach extra sheets if necessary.*)

Dan Robertson was my immediate supervisor for about 2 years. We met every 3 weeks for updates. Performance issues were never brought up at these meetings. My performance appraisals were very positive. I applied for promotion on December 2018 according to the College's process. In January 2019, Dan's secretary notified me that my promotion was sent back because I was at a cap. I then met with Dan how he can promote me. He told me that I deserved a promotion and would work with the provost (his supervisor) while I was away on medical leave, to see what options they could offer me. I went on medical leave from February 2019-March 28, 2019. On April 29, 2019 I received a meeting request from my supervisor and the provost to meet the next day. When I arrived to the meeting, it was not for promotion but rather to place me on a Performance Improvement Plan. The PIP referred to a complaint I made regarding discrimination within our division. (see additional sheet)

FOR LITIGANTS ALLEGING AGE DISCRIMINATION

20. Since filing my charge of age discrimination with the Equal Employment Opportunity Commission regarding defendant's alleged discriminatory conduct
 _____ 60 days or more have elapsed _____ less than 60 days have elapsed

FOR LITIGANTS ALLEGING AN AMERICANS WITH DISABILITIES ACT CLAIM

21. I first disclosed my disability to my employer (or my employer first became aware of my disability on October 2018)

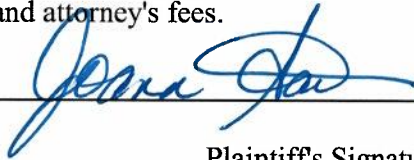
Joann Santos, Facts about case (continued)

My PIP was retaliatory because it was punishing me for complaining about a discriminatory practice at the College, back in Spring 2018. It also contained false information and allegations that I didn't work more while I was out on medical leave. During my medical leave, I continued to work even when I was using my sick time and FMLA. As a result, I have not been promoted, the PIP has not been resolved, and I work in fear.

22. The date on which I first asked my employer for reasonable accommodation of my disability is December 2018
23. The reasonable accommodations for my disability (if any) that my employer provided to me are: I went on medical leave for a medical condition.
24. The reasonable accommodation provided to me by my employer were ____/were not X effective.

WHEREFORE, I respectfully request this Court to grant me such relief as may be appropriate, including injunctive orders, damages, costs and attorney's fees.

Dated: 6/11/2020



Plaintiff's Signature



U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION
Buffalo Local Office

Olympic Towers
300 Pearl Street, Suite 450
Buffalo, NY 14202
(716) 431-5007
TTY (716) 551-5923
FAX (716) 551-4387

Joann Santos
268 Bromley Road
Churchville, NY 14428

Re: EEOC Charge No.: 525-2019-01010
Joan Santos v. Monroe Community College

Dear Ms. Santos:

The Equal Employment Opportunity Commission (hereinafter referred to as the "Commission"), has reviewed the above-referenced charge according to our charge prioritization procedures. These procedures, which are based on a reallocation of the Commission's staff resources, apply to all open charges in our inventory and call for us to focus our limited resources on those cases that are most likely to result in findings of violations of the laws we enforce.

In accordance with these procedures, we have evaluated your charge based upon the information and evidence submitted. You allege that you were targeted because of your sex/female, disability, had medical information shared without your permission, and retaliated against by being put on a Performance Improvement Plan.

Based upon an analysis of the information submitted to us, the Commission is unable to conclude that the information establishes a violation of Federal law on the part of Respondent. This does not certify that Respondent is in compliance with the statutes. No finding is made as to any other issue that might be construed as having been raised by this charge.

The Commission's processing of this charge has been concluded. Included with this letter is your Notice of Dismissal and Right to Sue. Following this dismissal, you may only pursue this matter by filing suit against the Respondent named in the charge within 90 days of receipt of said notice. Otherwise, your right to sue will be lost. Please contact Federal Investigator Maureen C. Kielt at (716) 431-5016 if you have any questions.

Sincerely,

Date: 3-13-2020

 for
Jennifer A. Carlo, Acting Director
Buffalo Local Office

EEOC Form 161 (11/16)

U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

DISMISSAL AND NOTICE OF RIGHTS

To: **Joann Santos**
268 Bromley Road
Churchville, NY 14428

From: **Buffalo Local Office**
300 Pearl Street
Suite 450
Buffalo, NY 14202



On behalf of person(s) aggrieved whose identity is
CONFIDENTIAL (29 CFR §1601.7(a))

EEOC Charge No.

EEOC Representative

Telephone No.

525-2019-01010

Maureen Kiehl,
Investigator

(716) 431-5016

THE EEOC IS CLOSING ITS FILE ON THIS CHARGE FOR THE FOLLOWING REASON:



The facts alleged in the charge fail to state a claim under any of the statutes enforced by the EEOC.



Your allegations did not involve a disability as defined by the Americans With Disabilities Act.



The Respondent employs less than the required number of employees or is not otherwise covered by the statutes.



Your charge was not timely filed with EEOC; in other words, you waited too long after the date(s) of the alleged discrimination to file your charge



The EEOC issues the following determination: Based upon its investigation, the EEOC is unable to conclude that the information obtained establishes violations of the statutes. This does not certify that the respondent is in compliance with the statutes. No finding is made as to any other issues that might be construed as having been raised by this charge.



The EEOC has adopted the findings of the state or local fair employment practices agency that investigated this charge.



Other (briefly state)

- NOTICE OF SUIT RIGHTS -

(See the additional information attached to this form.)

Title VII, the Americans with Disabilities Act, the Genetic Information Nondiscrimination Act, or the Age Discrimination in Employment Act: This will be the only notice of dismissal and of your right to sue that we will send you. You may file a lawsuit against the respondent(s) under federal law based on this charge in federal or state court. Your lawsuit **must be filed WITHIN 90 DAYS** of your receipt of this notice; or your right to sue based on this charge will be lost. (The time limit for filing suit based on a claim under state law may be different.)

Equal Pay Act (EPA): EPA suits must be filed in federal or state court within 2 years (3 years for willful violations) of the alleged EPA underpayment. This means that **backpay due for any violations that occurred more than 2 years (3 years) before you file suit may not be collectible.**

On behalf of the Commission

Jennifer Carlo
Jennifer Carlo,
Acting Director

3-13-2020

(Date Mailed)

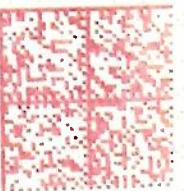
Enclosures(s)

cc: **Adam M. Clark (Monroe Community College)**
Attorney
Monroe County Law Department
307 COB
39 West Main Street
Rochester, NY 14614

Equal Employment Opportunity Commission
Buffalo Local Office
Olympic Towers, 300 Pearl Street, Suite 450
Buffalo, NY 14202

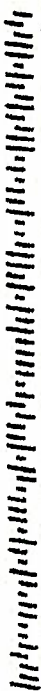
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CHARGE OF DISCRIMINATION

This form is affected by the Privacy Act of 1974. See enclosed Privacy Act Statement and other information before completing this form.

Charge Presented To:

Agency(ies) Charge No(s):

☐ FEPA☒ EEOC**525-2019-01010****New York State Division Of Human Rights**

and EEOC

State or local Agency, if any

Name (indicate Mr., Ms., Mrs.)

Mrs. Joann Santos

Home Phone

(585) 507-3784

Year of Birth

Street Address

City, State and ZIP Code

268 Bromley Road, CHURCHVILLE, NY 14428

Named is the Employer, Labor Organization, Employment Agency, Apprenticeship Committee, or State or Local Government Agency That I Believe Discriminated Against Me or Others. (If more than two, list under PARTICULARS below.)

Name

MONROE COMMUNITY COLLEGE

No. Employees, Members

201 - 500

Phone No.

(585) 292-2000

Street Address

City, State and ZIP Code

1000 East Henrietta Road, ROCHESTER, NY 14623

Name

No. Employees, Members

Phone No.

Street Address

City, State and ZIP Code

DISCRIMINATION BASED ON (Check appropriate box(es).)

☐ RACE ☐ COLOR ☒ SEX ☐ RELIGION ☐ NATIONAL ORIGIN
☒ RETALIATION ☐ AGE ☒ DISABILITY ☐ GENETIC INFORMATION
☐ OTHER (Specify)

DATE(S) DISCRIMINATION TOOK PLACE
Earliest Latest**02-07-2019 05-07-2019**☐ CONTINUING ACTION

THE PARTICULARS ARE (If additional paper is needed, attach extra sheet(s)).

I have worked for Respondent in the position of Project Director-CSTEP, STEP, and LSAMP programs. I also serve as Faculty Senator.

On or about March 9, 2018, I submitted a memo contain concerns over the new position of Director, Pre-Collegiate Partnerships. Concerns included apprehension regarding grant funded programs that serve marginalized and underserved populations. Specifically, I stated that I believed reassigning programs to the new position sent a message that they were not supported by the Dean in that it generated another layer between the Dean and the students, added more 'red tape', and sent a negative message to stakeholders. The report was met with positive outcome by the committee and encouraged changes. My supervisor scolded me about my participation and told me I had no right to engage. As a Faculty Senator, it is my responsibility to bring issues from constituents to the Executive Committee. On or about February 7, 2019 until on or about March 22, 2019, I was out on medical/disability leave. When I returned from my leave, I found that my supervisor had shared information about me to other staff members. I complained but upon information and belief, nothing was done. On or about May 7, 2019, I

I want this charge filed with both the EEOC and the State or local Agency, if any. I will advise the agencies if I change my address or phone number and I will cooperate fully with them in the processing of my charge in accordance with their procedures.

I declare under penalty of perjury that the above is true and correct.

Digitally signed by Joann Santos on 08-13-2019 07:39 AM EDT

NOTARY - When necessary for State and Local Agency Requirements

I swear or affirm that I have read the above charge and that it is true to the best of my knowledge, information and belief.
SIGNATURE OF COMPLAINANT

SUBSCRIBED AND SWORN TO BEFORE ME THIS DATE
(month, day, year)

PRIVACY ACT STATEMENT: Under the Privacy Act of 1974, Pub. Law 93-579, authority to request personal data and its uses are:

1. **FORM NUMBER/TITLE/DATE.** EEOC Form 5, Charge of Discrimination (11/09).
2. **AUTHORITY.** 42 U.S.C. 2000e-5(b), 29 U.S.C. 211, 29 U.S.C. 626, 42 U.S.C. 12117, 42 U.S.C. 2000ff-6.
3. **PRINCIPAL PURPOSES.** The purposes of a charge, taken on this form or otherwise reduced to writing (whether later recorded on this form or not) are, as applicable under the EEOC anti-discrimination statutes (EEOC statutes), to preserve private suit rights under the EEOC statutes, to invoke the EEOC's jurisdiction and, where dual-filing or referral arrangements exist, to begin state or local proceedings.
4. **ROUTINE USES.** This form is used to provide facts that may establish the existence of matters covered by the EEOC statutes (and as applicable, other federal, state or local laws). Information given will be used by staff to guide its mediation and investigation efforts and, as applicable, to determine, conciliate and litigate claims of unlawful discrimination. This form may be presented to or disclosed to other federal, state or local agencies as appropriate or necessary in carrying out EEOC's functions. A copy of this charge will ordinarily be sent to the respondent organization against which the charge is made.
5. **WHETHER DISCLOSURE IS MANDATORY; EFFECT OF NOT GIVING INFORMATION.** Charges must be reduced to writing and should identify the charging and responding parties and the actions or policies complained of. Without a written charge, EEOC will ordinarily not act on the complaint. Charges under Title VII, the ADA or GINA must be sworn to or affirmed (either by using this form or by presenting a notarized statement or unsworn declaration under penalty of perjury); charges under the ADEA should ordinarily be signed. Charges may be clarified or amplified later by amendment. It is not mandatory that this form be used to make a charge.

NOTICE OF RIGHT TO REQUEST SUBSTANTIAL WEIGHT REVIEW

Charges filed at a state or local Fair Employment Practices Agency (FEPA) that dual-files charges with EEOC will ordinarily be handled first by the FEPA. Some charges filed at EEOC may also be first handled by a FEPA under worksharing agreements. You will be told which agency will handle your charge. When the FEPA is the first to handle the charge, it will notify you of its final resolution of the matter. Then, if you wish EEOC to give Substantial Weight Review to the FEPA's final findings, you must ask us in writing to do so within 15 days of your receipt of its findings. Otherwise, we will ordinarily adopt the FEPA's finding and close our file on the charge.

NOTICE OF NON-RETALIATION REQUIREMENTS

Please **notify** EEOC or the state or local agency where you filed your charge **if retaliation is taken against you or others** who oppose discrimination or cooperate in any investigation or lawsuit concerning this charge. Under Section 704(a) of Title VII, Section 4(d) of the ADEA, Section 503(a) of the ADA and Section 207(f) of GINA, it is unlawful for an *employer* to discriminate against present or former employees or job applicants, for an *employment agency* to discriminate against anyone, or for a *union* to discriminate against its members or membership applicants, because they have opposed any practice made unlawful by the statutes, or because they have made a charge, testified, assisted, or participated in any manner in an investigation,

Form 5 (11/09)

CHARGE OF DISCRIMINATION

This form is affected by the Privacy Act of 1974. See enclosed Privacy Act Statement and other information before completing this form.

Charge Presented To: Agency(ies) Charge No(s):

☐ FEPA

☒ EEOC

525-2019-01010

New York State Division Of Human Rights

and EEOC

State or local Agency, if any

met with my supervisor who advised me that I was to be placed on a Performance Improvement Plan (PIP) with the threat of termination. I had no previous warning regarding my performance. The PIP brought up issues that occurred as far back as 2016. I had received my last performance review in or around 2016, which was a positive review. The PIP also referenced my FMLA/Medical disability leave and a reference to my position as Faculty Senator. The Faculty Senator reference was subsequently deleted. Additionally, I had been recognized by the Office of the Chancellor on or about April 23, 2018 for Excellence in Professional Services for academic year 2017/2018. The letter goes on to state that 'the award's rigorous selection criteria ensure that only those professional service staff who have consistently demonstrated superlative performance within and beyond their position...'

I believe I have been targeted because of my sex/female, my disability, had my medical information shared without my permission, and in retaliation for engaging in a protected activity regarding underserved populations in willful violation of Title VII of the Civil Rights Act of 1964, as amended and the Americans with Disabilities Act, as amended.

I want this charge filed with both the EEOC and the State or local Agency, if any. I will advise the agencies if I change my address or phone number and I will cooperate fully with them in the processing of my charge in accordance with their procedures.

I declare under penalty of perjury that the above is true and correct.

Digitally signed by Joann Santos on 08-13-2019 07:39 AM
EDT

NOTARY - When necessary for State and Local Agency Requirements

I swear or affirm that I have read the above charge and that it is true to the best of my knowledge, information and belief.
SIGNATURE OF COMPLAINANT

SUBSCRIBED AND SWORN TO BEFORE ME THIS DATE
(month, day, year)



**U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION
Buffalo Local Office**

John E. Thompson, Jr.
Director

Olympic Towers
300 Pearl Street, Suite 450
Buffalo, NY 14202
(716) 431-5007
Direct ADR : (716) 431-5018
Fax: (716) 551-4387

MEDIATION INVITATION RESPONSE FORM

Complete and fax/mail this form on or before the mediation response due date

Please return NO LATER THAN: SEPTEMBER 6, 2019

Your charge has been selected for EEOC's Mediation Program. The Commission is making available to you, this effective, neutral and confidential process to Charging Parties and Respondents as an efficient alternative to investigation and possible litigation of employment disputes. If either side prefers investigation to mediation, please let us know immediately so that we may return your charge back to Enforcement.

While the charge is assigned to the mediation unit, a due date for a Position Statement from Respondent is suspended. If either side prefers investigation to mediation, please let us know immediately so we may return your charge back to Enforcement. Participation in the mediation program is completely voluntary, confidential and at no cost to either party. If however, the parties come to a resolution, the settlement will be upheld by law and will be binding. You may have a legal representative of your choice with you during mediation sessions, but note that you are not required to have representation.

Once both parties agree to mediation, we will attempt to schedule an agreeable date. Please be advised this process can take approximately 4-6 weeks. Be known, if you are East of Rochester, your mediation will be conducted over the phone.

If you have any questions, please contact Ms PJ Parkhurst at (716) 431-5018. If you call and get my voice mail, I ask that you leave a message with your name, phone number including area code and charge number. I will get back to you as soon as I'm able. I look forward to hearing from you and encourage you to respond as soon as possible to ensure faster processing time. Please consider the benefits of mediation on the reverse side.

Please return this form to: **PJ Parkhurst, ADR Unit – Mediation
US Equal Employment Opportunity Commission
Buffalo Local Office
Olympic Towers
300 Pearl Street, Suite 450
Buffalo, New York 14202**

Or phone PJ at 716 431-5018

SELECT:

☐ I/We agree to mediation

☐ I/We decline participation in the mediation program

Indicate:



☐ Charging Party / Representative ☐ Respondent / Representative

If you decline to participate, we would appreciate your stating the reason for declining.

Comments: _____

EEOC Charge No: **525-2019-01010**

Charge Name : Joann Santos v MONROE COMMUNITY COLLEGE

Name (or Attorney if represented): _____ TITLE: _____

Mailing Address: _____

City, State, Zip: _____

Telephone: () _____ EMAIL: _____



**U.S. Equal Employment Opportunity Commission
Buffalo Local Office**

300 Pearl Street
Suite 450
Buffalo, NY 14202
(716) 431-5007
TDD: 1-800-669-6820
Fax: (716) 551-4387
1-800-669-4000

Respondent: MONROE COMMUNITY COLLEGE
EEOC Charge No.: 525-2019-01010
FEPA Charge No.:

August 23, 2019

Joann Santos
268 Bromley Road
Churchville, NY 14428

Dear Mrs. Santos:

This is to acknowledge receipt of the above-numbered charge of employment discrimination against the above-named respondent. Please use the "EEOC Charge No." listed above whenever you call us about this charge. The information provided indicates that the charge is subject to:

<input checked="" type="checkbox"/>	Title VII of the Civil Rights Act of 1964 (Title VII)
<input type="checkbox"/>	The Age Discrimination in Employment Act (ADEA)
<input checked="" type="checkbox"/>	The Americans with Disabilities Act (ADA)
<input type="checkbox"/>	The Equal Pay Act (EPA)
<input type="checkbox"/>	The Genetic Information Nondiscrimination Act (GINA)

You need do nothing further at this time. We will contact you when we need more information or assistance. A copy of the charge or notice of the charge will be sent to the respondent within 10 days of our receipt of the charge as required by our procedures.

Please be aware that we will send a copy of the charge to New York State Division Of Human Rights Federal Contract Unit One Fordham Plaza, 4 Fl. Bronx, NY 10458 as required by our procedures. If the charge is processed by that agency, it may require the charge to be signed before a notary public or an agency official. Then the agency will investigate and resolve the charge under their statute. If this occurs, section 1601.76 of EEOC's regulations entitles you to ask us to perform a Substantial Weight Review of the agency's final finding. To obtain this review, a written request must be made to this office within 15 days of receipt of the agency's final finding in the case. Otherwise, we will generally adopt the agency's finding as EEOC's.

The quickest and most convenient way to obtain the contact information and the status of your charge is to use EEOC's Online Charge Status System, which is available 24/7. You can access the system via this link (<https://publicportal.eeoc.gov/portal>) or by selecting the "My Charge Status" button on EEOC's Homepage (www.eeoc.gov). To sign in, enter your EEOC charge number, your zip code and the security response. An informational brochure is enclosed that provides more information about this system and its features.

While your charge is pending, please notify us of any change in your address, or where you can be reached if you have any prolonged absence from home. Your cooperation in this matter is essential.

Sincerely,


Maureen Kielt
Investigator

(716) 431-5016

Office Hours: Monday – Friday, 8:30 a.m. - 5:00 p.m.
www.eeoc.gov

Enclosure(s):